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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

U.S. PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

Ex parte MUNETAKA TAKEUCHI, NOZOMU KAMIYA,  
HIROMI HAYASHI and MAKOTO ISHITOBASHI

Application No. 08/889,440

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on April 15, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

Appellants filed an Appeal Brief on October 20, 2003 (Paper No. 44). The examiner entered an Examiner's Answer on January 15, 2004 (Paper No. 45). According to the examiner on page 5, section (8) of the Answer, "[t]he copy of the appealed claims contained in the Appendix to the brief is correct." However, a review of the Appendix to the Brief reveals that claim 24 contains errors as follows:

Claim 24, line 4:

After "information" delete "--and--," and delete "include" and replace with "--includes--."

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Accordingly, it is

ORDERED that the application is returned to the examiner to notify appellants to submit a corrected Appendix to the Brief, or for the examiner to submit a corrected copy of claim 24 on appeal, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: 

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